

# PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Comar Properties, Inc.  
DOCKET NO.: 04-20783.001-C-1 & 04-20783.002-C-1  
PARCEL NO.: 16-19-429-021-0000 & 16-19-429-022-0000

The parties of record before the Property Tax Appeal Board are Comar Properties, Inc., the appellant, by attorney James A. Field of Field and Goldberg, LLC, Chicago; and the Cook County Board of Review.

The subject property is improved with a one-story commercial building containing 1,600 square feet of building area. The improvements are located on a 6,960 square foot site in Berwyn, Berwyn Township, Cook County.

The appellant in this appeal contends the market value of the subject property is not accurately reflected in its assessment. In support of this argument the appellant submitted sales data on five comparables that sold from July 2001 to July 2003 for prices ranging from \$110,000 to \$400,000 or from \$68.75 to \$134.55 per square foot of building area. A copy of the board of review's final decision disclosed the subject property had a total assessment of \$84,612, which reflects a market value of \$222,663 or \$139.16 per square foot of building area using the Cook County Real Property Assessment Classification Ordinance level of assessments for class 5-17 property of 38%. Based on this evidence the appellant requested the subject's assessment be reduced to \$62,630.

The board of review did not submit its "Board of Review Notes on Appeal" or any evidence in support of its assessed valuation of the subject property.

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Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds a reduction in the assessment of the property as established by the Cook County Board of Review is warranted. The correct assessed valuation of the property is:

Docket No.	Parcel No.	Land	Impr.	Total
04-20783.001-C-1	16-19-429-021-0000	\$14,098	\$1,287	\$15,385
04-20783.002-C-1	16-19-429-022-0000	\$11,856	\$35,389	\$47,245

Subject only to the State multiplier as applicable.

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The Board further finds the evidence in the record supports a reduction in the subject's assessment.

The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3<sup>rd</sup> Dist. 2002). The Board finds the appellant met this burden of proof and a reduction in the subject's assessment is warranted.

The appellant submitted information on five comparable sales in support of the contention that the subject property was not accurately assessed. The five comparables sold from July 2001 to July 2003 for prices ranging from \$110,000 to \$400,000 or from \$68.75 to \$134.55 per square foot of building area. The subject property has a total assessment of \$84,612 reflecting a market value of \$222,663 or \$139.16 per square foot of building area using the Cook County Real Property Assessment Classification Ordinance level of assessments for class 5-17 property of 38%, which is above the range on a per square foot basis established by the comparables. The board of review did not submit any evidence in support of its assessment of the subject property or to refute the appellant's argument as required by Section 1910.40(a) of the rules of the Property Tax Appeal Board. Based on this record the Property Tax Appeal Board finds a reduction in the subject's assessment commensurate with the appellant's request is appropriate.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.



Chairman



Member



Member



Member

Member

DISSENTING: \_\_\_\_\_

C E R T I F I C A T I O N

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: April 1, 2008



Clerk of the Property Tax Appeal Board

**IMPORTANT NOTICE**

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the Board of Review or after adjournment

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of the session of the Board of Review at which assessments for the subsequent year are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for the subsequent year directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.